

1.16 Waiver of Certain Costs and Fees

A. Except in cases in which a person seeks a harassment or domestic abuse restraining order or injunction (which cases are governed by paragraph C.), all applications for waiver of costs and fees under Wis. Stat. § 814.29 shall be made in the office of the Chief Judge.

B. Persons, other than prisoners as defined in Wis. Stat. § 801.02(7)(a)2., who apply for the waiver of costs and fees shall:

1. complete and file a Supreme Court Form CV-410 affidavit demonstrating his or her indigency; and
2. except as provided in paragraph A.3., appear in person and provide (i) proof of the applicant's identity (for example, a driver's license or picture identification card) and (ii) proof of income or proof that the applicant receives means-tested public assistance in his or her name (for example, AFDC, TANF, W-2; medical assistance; SSI; food stamps; Veterans Benefits under Wis. Stat. § 45.351; block relief under Wis. Stat. Ch. 49, county relief under Wis. Stat. § 59.53(21)) or (iii) proof that the applicant is otherwise unable, due to indigency, to pay costs and fees.
3. The application may be made on behalf of the applicant without the applicant appearing in person if the application confirms the applicant's indigency and (i) the application is presented by an attorney of an organization that provides legal services only for indigent persons, or an attorney who represents the applicant *pro bono*; or (ii) the application is presented by an employee of such attorney and the application is accompanied by a letter on the letterhead of the attorney, firm or agency and a self-addressed, stamped return envelope for return of the signed order.
- C. All applications for waiver of costs and fees in cases in which the petitioner seeks a harassment or domestic abuse injunction or restraining order shall be submitted to the Family Court Commissioner through the office of the Task Force on Family Violence. If the application is denied, petitioner may request review by the Chief Judge. There is no filing fee for a domestic abuse petition.

D. Prisoners, as defined in Wis. Stat. § 801.02(7)(a)2., who apply for the waiver of costs and fees shall submit to the Chief Judge's office the pleadings to be filed with the court together with:

1. a completed Supreme Court form CV-438 Affidavit of Indigency;
2. a Department of Justice Certification of Three or More Dismissals;
3. a certified copy of the prisoner's trust account for the previous six months from the prisoner's institution;
4. a Department of Corrections Form 1930 Authorization to the agency having custody of the prisoner's trust account to release funds;
5. when filing a new case, an original and at least one copy for each defendant who must be served; when filing a writ of certiorari, an original and 2 copies; and
6. a self-addressed, stamped, return envelope with proper postage for return of filed documents.

E. The Chief Judge is not authorized to waive transcript charges or charges for photocopies made by the Clerk of Circuit Court.